

W₂ASACT Meeting Minutes

December 9, 2008

10:00 a.m. to 1:00 p.m.

Department of Commerce Building

301 South Park Avenue, Room 228

Hosted by – Department of Commerce

MEMBERS PRESENT INCLUDED

Todd Teegarden	DEQ/SRF	Larry Gallagher	HUD-Helena Field Office
Nancy Geary	DEQ/SRF	Pam Higgins	MAP
Anna Miller	DNRC	Dustin White	MAP
Bob Fischer	DNRC	Richard Knatterud	MDOC/TSEP
Rick Duncan	DNRC	Kate Miller	MDOC/TSEP
Pam Smith	DNRC/RRGL	Jim Edgcomb	MDOC/TSEP
Alicia Stickney	DNRC/RRGL	Kim Hayes	MDOC/TSEP
Alice Stanley	DNRC	Lorae Williams	STEDC
Jay Sinnott	EPA	Clay Landry	USDA/RD
		Steve Troendle	USDA/RD

CALL TO ORDER, SIGN-IN SHEET, AGENDA CHANGES

The scheduled meeting of the Water, Wastewater, and Solid Waste Action Coordinating Team (W₂ASACT) was called to order at 10:00 a.m. on December 9, 2008, by Todd Teegarden, Chair. A sign-in sheet, agendas and minutes of the last meeting were made available to those in attendance. Anna Miller moved to approve the minutes; Jim Edgcomb seconded the motion; the minutes were approved and adopted. There were no changes made to the agenda. All those in attendance introduced themselves.

ITEMS FOR REVIEW AND DISCUSSION

1. Updates (if needed) from subcommittees

Workshops – Richard Knatterud said there are three workshops planned this winter: Great Falls at the Heritage Inn on February 18th, Billings Crowne Plaza on March 4th, and Missoula at the Holiday Inn Parkside on March 11th. The emphasis will be on planning for a project. An extra session will be on how to get started, what to do, PERs, etc. Pamphlets with workshop information will be distributed in January by the Department of Commerce. If you know of anyone not on their list who would like to be added, please contact Jim Edgcomb. Jim said the Tribal contacts will be updated at Heather Sobrepeña-George's request, in order to get as much participation as possible for the tribes. Planning grant applications will not be accepted by TSEP before March 31st. DNRC's final date is May 31st. Applications need to be sent to TSEP first, then to DNRC.

Uniform Application – Jim Edgcomb had no update.

Standard Documents – Bob Fischer, no update on new documents.

Internet Website – Pam Smith is still working on this and welcomes input from anyone regarding updates and changes needed.

2. Updates on Ongoing Topics

Emergency Projects – Bob Fischer / Richard Knatterud – TSEP had nothing to report. Bob has been working on a drinking water project for the Centerville School. There is still money available for emergency projects, should the need arise.

Tribal Issues – Jim Edgcomb / Larry Gallagher and others – Larry is working with Poplar on infrastructure needs and some projects. There is good communication between the city and the tribe. Jay Sinnott reported on a competition for SRF Tribal Set-Aside Grants which just finished and two grants were awarded to the Northern Cheyenne Tribe (pipeline from Lame Deer to Muddy Cluster) and St. Ignatius Tribe (water rehab).

Dustin White met with the Blackfeet officials in the town of Browning. Browning is ready to assume O&M responsibility for the water plant with a contract with the Tribe. The city has hired 3 new operators, which MAP will train in January. Everything is ready for the Tribe to sign the contract. Steve Troendle feels the Blackfeet have lost a great facilitator in Stu Miller, who passed away last week in Browning. The funding for the Blackfeet project is running short because of increased prices since the project was planned. However, Indian Set-Aside Funds will not be available until Congress passes an actual budget. Using all grant and loan funds available, the project is still about \$2.5 million short. The availability of stimulus package funds is in question.

Jay Sinnott said that Dave Shultz is working with Ft. Belknap on their rate structure which will most likely increase utility rates. They have requested help with funding so they can use the bids that are already closed for their project. Their application is complete and they are awaiting approvals of other funding. A loan is being considered to make up the difference.

Regional Water Projects – Rick Duncan-

Rocky Boy's -The Chippewa-Cree Tribe has plans under revision by its new engineering firm (AE2S - Advanced Engineering & Environmental Services) for using additional capacity from the reverse osmosis (RO) plant near the Northern Winz Casino north of Box Elder to supply supplemental water to an existing water storage tank in Box Elder and two more storage reservoirs southeast of Box Elder which serve tribal housing projects. The revised plans will propose a new pipeline route around/through land the Tribe wishes to use for irrigated agricultural purposes. Currently the pipeline project is proposed at ~\$6 million. The project will be re-advertised for bids when the new route has been set and the plans have been approved by reviewing agencies. There will be \$1 million in TSEP regional water funds provided for the project, which will be credited towards the State of Montana's match requirements on the Core portion of the regional system.

Rural Water Supply Act of 2006 - The President signed the Act into law in December 2006, and Bureau of Reclamation was charged with responsibility of writing the rules. After a wait of nearly two years, the Interim Final Rule was published in the Federal Register on November 17, 2008. Those rules become effective on December 17. Comments are being taken by Reclamation up until January 16, 2009 (60 days from date of publication). In addition to funds for administering the program, Reclamation will have about \$1 million for funding feasibility and appraisal level studies in the western United States, once Congress passes the FY09 Budget. Copies of the rule are available on-line at www.usbr.gov/ruralwater.

North Central - The Authority has submitted plans and specification for the project to bring water to North Havre County Water District, with interim supply from the City of Havre. DNRC has agreed to over-match on the project, up to a total of \$1 million of TSEP

Regional Water Fund monies. The Authority will then use funds from its share of the FY08 Federal appropriations to pay for design work on future project segments (TSEP regional water system funds can only be used for construction purposes).

The Musselshell-Judith Rural Water Supply - There is nothing to report on this system, at this time. The monthly authority board meeting is scheduled to take place tomorrow afternoon (12/10) in Broadview.

Dry-Redwater - The Authority's bill for Federal authorization of a regional water system was introduced in Congress by Sen. Max Baucus in late July. It will be reintroduced in the 111th Congress some time in February, according to aides to the Senator Baucus. He will be pushing the bill in the Senate, where he has considerable influence. The Authority will likely need to obtain the assistance of a firm for "legislative services" when the legislation moves to the House, as Rep. Rehberg is only one of 435 representatives.

Fort Peck - Dry Prairie - The Fort Peck Tribes' contractor continues work on the clear wells and washwater recovery basin for the Regional water treatment plant (WTP). The scheduled completion was originally the end of November, 2008. The construction is at least 3 months behind schedule, but most of the 5,000 cubic yards of concrete has been poured, and the remainder of construction work has been proceeding. The Tribes are preparing the next Phase of the WTP project for advertisement for bids; estimated to cost at \$27 million.

Dry Prairie's southern Valley County plans are moving forward, after water flow tests were conducted in late July on the Boeing/Marco raw water supply system. Dry Prairie and Boeing/Marco are close to formalizing an agreement in which Dry Prairie will receive an average of 200,000 gpd, with provisions for higher flows during periods of peak demand. The project will provide water to the Town of Nashua, as well as to a number of rural users in Valley County between Nashua and Glasgow.

Dry Prairie's other projects are also moving forward, including: Upgrade of the Culbertson WTP by means of installation of a 3rd filter bay. Completion of service to Basin Electric electrical generating plant NE of Culbertson, via a project segment now referred to as the McCabe loop, which is 85% complete.

Installation of a main from Culbertson west to Big Muddy Creek (Reservation boundary), from which point the Fort Peck Tribes will provide water to the community of Fort Kipp. The Tribes will advertise for bids for both portions of the project together; Federal funds will pay for 100% of the on-Reservation costs, while there will be State and local cost-shares for the off-Reservation segment.

WASACT Project Tracking Sheet – Jim Edgcomb – Updates will be made twice a year with edits submitted by the end of June and December of each year. Updated sheets were handed out. The tracking sheet is also available on the W2ASACT website.

Army Corps of Engineers – Sect. 595 Program & Projects – Pam Smith – A subcommittee meeting was held to compile an information sheet on 28 projects which have submitted applications, which was supplied to the Legislator's offices. The response from David Cobb of Baucus's office was positive; Tester's office has not had a chance to review the presentation and respond. Pam found that the Seattle and Omaha Offices have different methods for tracking money committed to different projects. They also use different standards for PER's, so they don't qualify for use with the State Uniform Applications. Please see that communities are

aware of this requirement by the State before they spend money to prepare a PER. Some of the engineering firms are new to this type of project and are not familiar with the State's specifications. The W2ASACT workshops are good sources for the engineering firms to learn the requirements.

STAG projects – Todd Teegarden and Jay Sinnott – The City of Conrad's wastewater project is through the environmental review process and a grant application has been received. The Crow wastewater project should follow right behind. Helena has been in communication and the application is expected early next year. Lockwood is doing preliminary design and plans to put Phase I out to bid next spring. Jay did a grant review in Bozeman last week for an emergency generator at their wastewater plant. The project will be awarded to Williams Brother Construction this month. Todd mentioned that STAG seems to track their grants very well, as demonstrated at the All States Meeting in Denver last week. Montana has had 45 earmarks to date.

Jim Edgcomb– Discussion of the Draft Solutions Document which is an output from two workgroups that have met to discuss possible solutions for DOC housing and infrastructure problems that were illuminated in a white paper which will provide suggestions for the Governors office and the 2009 Legislature. Jim felt potential impacts to TSEP would be minimal. The paper can be found on the Department of Commerce website under *Infrastructure* at the following address:
http://housing.mt.gov/Includes/HCT/Final_White_Paper.pdf.

PROGRAM / PROJECT UPDATES

Pam Smith (DNRC) – Pam handed out a copy of the 2008 Ranked Grant Application by Order of Ranking Recommendation. She said they are busy getting ready for the Legislative session. It is unknown what effect the stimulus package will have. The engineers have been asked for a list of projects deemed ready to go.

Steve Troendle (RD) – He is anxiously waiting for a final federal budget to know what funding they will be working with. They are presently working on a continuing resolution (up to 25% of last year's spending for the first three months of the year) which is targeted mainly to projects that have to have the money to go to construction.

A new Grant Planning Program is being discussed. Hopefully there will be enough money to fund more than one project. A definite dollar amount will be passed on to Bob Fischer when it is received.

The year was ended spending 139% of the state allocation on water and wastewater. These percentages are possible by using national office pool money, as well as the local allocation.

Pam Higgins (MAP) –Leo Capp, the water/wastewater operator in Lewistown for the last 22 years, has been hired by MAP and will work out of Cut Bank. MAP is still working with Wyoming, encouraging them to adopt the W2ASACT model. There will be a meeting in January to start working on this.

Anna Miller (DNRC) – There is a lot going on with the SRF programs and specifically for wastewater projects. Lockwood, Bozeman, and Missoula WYE are all beginning design, as well as various small water projects. Hebgen and Laurel wastewater are in the planning stage. DNRC is working with RD on interim financing for the Conrad wastewater project. If money is made available to the SRF program from the stimulus package, it will need to go to projects that are immediately ready to begin. Todd Teegarden gave an example: From the time the money is available, the SRF programs may have 120 days to close the loan. If this money is not used, it will go back to the national pool to be used by other states.

Larry Gallagher (HUD) – Neighborhood Stabilization Program (NSP) Congress has authorized \$19.6 million to the State of Montana through HUD for this program. It is expected that the State will be able to have this money available for proposals from municipalities, counties and tribal governments to stabilize neighborhoods by the middle of January or February. There will be approximately \$18 million dollars that must be obligated within 15 months. Visit with Jennifer Olson (CDBG) or go to their website for more information. Stabilization means to stop neighborhood decline.

Dave Cole (MDOC) - reported by email: “The MDOC CDBG staff will not be able to attend the meeting today. They are trying to finish up ranking the 20 applications they received for FFY 2009 CDBG Public Facility grants. I'm involved in the ranking, too.

Last year, CDBG received about \$3.6 billion nationally (\$3.59 for FFY 2008). If we get the same funding as last year we will probably only fund 6 or 7 projects. Gus and Dave are discussing whether CDBG could possibly play a role as Congress considers a stimulus package. MDOC belongs to a national organization called the Council of State Community Development Agencies. Yesterday, Gus called them and learned that COSCDA is working with several other national groups who are signing onto a letter calling for \$10 billion for a CDBG stimulus allocation. \$10 billion would be wonderful and a big help for TSEP applicants, too. About 17 of the 20 CDBG applicants are also applying to TSEP.”

An advisory group led by Mike Suplee of DEQ is working on nutrient numeric standards development and affordability criteria. They have met several times, and plan to meet again in January.

Jim Edgcomb (TSEP) Jim handed out copies of the TSEP GRANT AWARD RECOMMENDATION FOR THE 2011 BIENNIUM and SCORING OF THE TSEP STATUTORY PRIORITIES AND FINAL RANKING RECOMMENDATION FOR THE 2011 BIENNIUM.

Jim is part of an advisory group led by Mike Suplee of DEQ that are working on nutrient numeric standards development for wadeable streams in Montana and affordability criteria should the standards be adopted by the Board of Environmental Review. The advisory group has met several times, and plans to meet again in January. Todd Teegarden and Jim discussed the issues with the group.

OTHER ISSUES AND LOGISTICS OF NEXT MEETING

Because of arsenic contaminated water, the Dayton School is operating without its well. It is presently sharing a well with a neighbor. The area has several aquifers with differing qualities of water, some being contaminated with arsenic. The area would be a good candidate for a community water system.

The next meeting was scheduled for February 10, 2009 from 10:00 a.m. hosted by the Department of Environmental Quality. Todd thanked the Department of Commerce for hosting this meeting

ADJOURNMENT

The meeting was adjourned at approximately 1:00 p.m.